

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No.: 1:20-cv-1072-LCB-LPA

MARTHA HOELZER and all similarly
situated individuals,
Plaintiff,

v

DANIEL LEBOLD,
Defendant.

**MOTIONS UNDER RULE 23
(CLASS ACTION)**

Plaintiff Martha Hoelzer, on behalf of herself and all others similarly situated, through her undersigned attorneys, hereby moves: (1) to certify this action as a class action under Rule 23(a) and (b)(3); (2) that she be appointed as class representative; (3) that New South Law Firm be appointed as class counsel; (4) that the Court order the University of North Carolina to produce the names, last known mailing addresses, last-known cell phone numbers, email addresses, work locations, job titles at the time of hire and termination, and dates of employment of all putative plaintiffs¹ within a reasonable time period of any Order granting this Motion. In

¹ Putative plaintiffs shall include all former employees of any constituent institution of the University of North Carolina who were informed that they were exempt from the due process protections of N.C. G.S., Ch. 126 and administrative rules adopted implementing the same, and not provided any pre-deprivation or post-deprivation due process with regard to the employee's termination.

support of this Motion, Plaintiff relies upon the contemporaneously filed Memorandum of Law.

Respectfully submitted, this the 2nd day of May 2022.

/S/ VALERIE L. BATEMAN
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Attorneys for Plaintiffs

CERTIFICATE OF FILING AND SERVICE

This is to certify that the undersigned has this day electronically filed or caused to be filed the foregoing **MOTION TO CERTIFY A CLASS** with the Clerk of Court using the CM/ECF system, which will send notification of such filing all counsel of record, or if not filed, via email, and upon request, by U.S. Mail within 24 hours after the request:

This the 2d day of May 2022.

/s/ VALERIE L. BATEMAN
Valerie L. Bateman
NEW SOUTH LAW FIRM